

REMARKS

Claims 1-9 are pending in the application. Claims 1, 2, 4, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemilainen et al. (U.S. Patent No. 6,766,160) in view of Rosener et al. (U.S. Publication 2002/0028655), and further in view of Burgess et al. (U.S. Patent No. 6,532,228). Claims 3, 6 and 9 are rejected under 35 U.S.C. 103(a) over Lemilainen et al. in view of Rosener et al., further in view of Burgess et al., and further in view of Reed (U.S. Patent No. 6,665,549).

Regarding the rejection of independent Claims 1, 4 and 7 under §103(a), the Examiner states that Lemilainen et al. in view of Rosener et al., and further in view of Burgess et al. renders the claims obvious. Lemilainen et al. discloses an apparatus, and associated method, for facilitating authentication of communication stations in a mobile communication system; Rosener et al. discloses a repeater system; and, Burgess et al. discloses an open loop receiver.

Each of Claims 1, 4 and 7 recite storing the received data in the first format. The Examiner states that Lemilainen et al. does not teach this feature. The Examiner relies on Rosener et al. as allegedly disclosing this feature. Applicant respectfully disagrees. The only memory disclosed by Rosener et al. is the non-volatile memory 502 that is used to store the programming information. Burgess et al. does not cure this defect.

Based on at least the foregoing withdrawal of the rejection of independent Claims 1, 4 and 7 under §103(a) is respectfully requested.

Independent Claims 1, 4 and 7 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 3, 5, 6, 8 and 9, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 3, 5, 6, 8 and 9 is respectfully requested.

In view of the preceding remarks, it is respectfully submitted that all pending claims, namely 1-9 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/MJM/dr